

2020 CT00 79169 MPB

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias 1 Juvenile N

Agency ORI Number FLO 502600	Agency Name PALM BEACH GARDENS POLICE DEPARTMENT	Agency Report Number (N.T.A.'s only) 78-20002997
Charge Type: Check as many as apply: <input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other	Weapon Seized / Type <input checked="" type="checkbox"/> 1. Yes <input type="checkbox"/> 2. No	Multiple Clearance Indicator <input type="checkbox"/>
Location of Arrest (Including Name of Business) S ENTRADA WAY/ALT AIA, PBG, FL		Location of Offense (Business Name, Address) ALT AIA/S ENTRADA WAY, PBG, FL
Date of Arrest 06/28/2020	Time of Arrest 03:53	Booking Date 06/28/2020

Name (Last, First, Middle) **PADILLA, JASON, GAVIN** Alias (Name, DOB, Soc. Sec. #, Etc.)

Race W - White I - American Indian B - Black O - Oriental/Asian	Sex W M	Date of Birth 04/15/1979	Height 5'10	Weight 180	Eye Color BRO	Hair Color BRO	Complexion MED	Build LARGE
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Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)
TAT BOTH ARMS

Local Address (Street, Apt. Number) 6572 SWISSCO DR #224, ORLANDO, FL 32822	Phone (407) 946-7333	Residence Type: 1. City 2. County 3. Florida 4. Out of State 3
Permanent Address (Street, Apt. Number) 3120 ARMSTRONG SPRING DR KISSIMEE FL 34744	Phone () () ()	Address Source VERBAL
Business Address (Name, Street) () () ()	Phone () () ()	Occupation () () ()

D.L. Number, State P340427791350 FL	Soc. Sec. Number () () () () () ()	INS Number () () () () () ()	Place of Birth (City, State) BRONX, NY	Citizenship US
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Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth	<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large	<input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile
Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth	<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large	<input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile

Parent Legal Custodian <input type="checkbox"/> Parent <input type="checkbox"/> Other	Name (Last) (First) (Middle)	Residence Phone () () () () () ()
Address (Street, Apt. Number) (City) (State) (Zip)		Business Phone () () () () () ()

Notified by: (Name)	Date	Time	Juvenile Disposition 1. Handled / processed within Dept. and Released. 2. TOT HRS / DYS 3. Incarcerated
Released To: (Name)	Relationship	Date	Time

The above address provided by defendant and / or defendant's parents. The child and / or parent was told to keep the Juvenile Court Clerk (Phone 355-2526) informed of any change of address.
 Yes, by: (Name) No: (Reason)

Property Crime? Yes No Description of Property Value of Property

Drug Activity S. Sell N. N/A P. Possess	S. Sell B. Buy T. Traffic	R. Snuggle D. Deliver E. Use	K. Dispense/ Distribute	M. Manufacture/ Produce/ Cultivate	Z. Other	Drug Type N. N/A A. Amphetamine	B. Barbiturate C. Cocaine E. Heroin	H. Hallucinogen M. Marijuana O. Opium/Deriv.	P. Paraphernalia/ Equipment S. Synthetic	U. Unknown Z. Other
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Charge Description DRIVING UNDER THE INFLUENCE	Counts 1	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number 316.193(1)(A)	Violation of ORD #
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Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
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Charge Description	Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number	Violation of ORD #
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Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
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Charge Description	Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number	Violation of ORD #
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Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
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Charge Description	Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number	Violation of ORD #
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Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond JUN 28 AM 6:11
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Location (Court House Number & Address)
NORTH COUNTY COURTHOUSE, 3188 PGA BOULEVARD, PALM BEACH GARDENS, FL 33410 - PH: (561) 662-6700

Count Date and Time
Month **JULY** Day **29** Year **2020** Time **10:00** AM PM

I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED BY THIS NOTICE TO APPEAR, THAT I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.

Signature of Defendant (or Juvenile and Parent / Custodian) **(Signature)** Date Signed **06/28/2020**

HOLD for other Agency Name: Signature of Arresting Officer **(Signature)** Name Verification (Printed by Arrestee)

Dangerous Re-arrested Suicidal Other: **Off. ANDREW FLINK** I.D. # **514** (PRINT)

Intake Deputy: **ANN BIV** I.D. # Pouch # **ANDREW FLINK** ID # **514** Agency **PBGPD** Witness here if subject signed with an "X" **1** OF **1**

DISTRIBUTION: WHITE - COURT COPY GREEN - STATE ATTORNEY YELLOW - AGENCY PINK - AGENCY GOLD - DEFENDANT (N.T.A.'s ONLY)

#0517201

PH 11

JUN 29 AM 8:30

SCANNED
JUN 29 2020

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 28TH DAY OF JUNE 2020 AT 0343 AM PM

SUBJECT: PADILLA, JASON, GAVIN CASE NUMBER: 20002997

AGENCY: PALM BEACH GARDENS POLICE DEPT. ARRESTING OFFICER: Ofc. ANDREW FLINK 514

PERSONAL CONTACT

DRIVING PATTERN: ACTUAL PHYSICAL CONTROL (PHYSICAL EVIDENCE OR STATEMENTS PUTTING DEF. BEHIND WHEEL OF VEHICLE)

On 06/28/2020, at approximately 0342 hours, this Officer was conducting a traffic enforcement selective in the area of Alt A1A/S Entrada Way, PBG, FL. Body worn camera and in car video were activated upon traffic stop. This Officer observed a vehicle traveling North bound in the outside through lane at an increased rate of speed. This Officer's initial visual estimation of the vehicle was approximately 60 MPH, in a posted 45 MPH zone. Using RADAR Stalker DSR2X (Serial #DB001317) forward antenna (KC086606) this Officer received a steady tone and reading of 60 MPH. The vehicle then made a right hand turn to go East on S Entrada Way, this Officer initiated a traffic stop on the vehicle just East of the intersection. This Officer made contact with the driver of the vehicle, identified via Florida Driver License photo, Jason Padilla (SU), while he was still in actual physical control of the vehicle.

OBSERVATION OF DRIVER:

Padilla was consuming food during the initial encounter. Padilla had watery eyes, flushed red face, was sweating, and had the odor of an unknown alcoholic beverage emanating from his breath at conversational distance. The odor would increase as Padilla spoke with this Officer. The intensity of the odor would increase as Padilla spoke.

DRIVER'S STATEMENTS:

Padilla said he was coming from "downtown" and admitted to consuming multiple alcoholic beverages on this night, however, did not specify the amount nor what the beverages contained.

ODORS:

Unknown alcoholic beverage

GENERAL OBSERVATIONS

SPEECH: Normal

ATTITUDE: Compliant

CLOTHING: Black shirt, black jeans, pink sneakers

MEDICAL/OTHER: None stated

STATE OF FLORIDA
COUNTY OF PALM BEACH


Signature of Arresting/Investigative Officer

The foregoing instrument was sworn to or affirmed and subscribed before me this 28th day of June 2020 by Ofc. ANDREW FLINK

Print name of Arresting/Investigative Officer, who is personally known to the and/or producer of identification. Type of identification produced

Personality Known


Notary Public, Clerk of Court, Officer (F.S.S. 117.10)



JOSHUA BELL
MY COMMISSION #GG346008
EXPIRES: JUN 18, 2023
Bonded through 1st State Insurance

ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:

LT EYE-LACK OF SMOOTH PURSUIT

RT EYE-LACK OF SMOOTH PURSUIT

LT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION

RT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION

LT-EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES

RT-EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES

Other Observations:

Padilla had Vertical Gaze Nystagmus in both eyes. Padilla was also swaying back and forth during the exercise.

WALK & TURN:

During the instructions, Padilla started prior to being told to do so. During the first set of steps, Padilla missed heel-to-toe multiple times and paused to regain balance. During the turnaround, Padilla spun around, rather than completing as instructed. During the return, Padilla again paused multiple times to regain balance and raised his arms more than six inches from his sides. Throughout the exercise, Padilla's steps were slow and deliberate.

ONE LEG STAND:

During the exercise, Padilla raised his right foot. Padilla was swaying throughout the exercise, to the point of losing his balance. Padilla also raised his arms from his side and placed his foot down, prior to being told to do so.

ROMBERG ALPHABET:

Not conducted

FINGER TO NOSE:

Not conducted

BREATH TEST RESULTS:

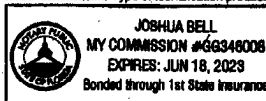
STATE OF FLORIDA
COUNTY OF PALM BEACH

[Signature]
Signature of Arresting/Investigative Officer

The foregoing instrument was sworn to or affirmed and subscribed before me this 28th day of June 2020 by Off. ANDREW FLINK

Print name of Arresting/Investigative Officer, who is personally known to me and/or produced identification. Type of identification produced Personally Known

[Signature]
Notary Public, Clerk of Court, Officer (F.S.S. 117.10)





**PALM BEACH COUNTY SHERIFF'S OFFICE
DUI TESTING FACILITY
INFORMATION SHEET**

PBSO CASE # 20-082439 PBSO ZONE 3-13

AGENCY CASE # 20002997 CRASH CASE # _____

TIME OF STOP/CRASH 0343 DATE 06/28/2020 DAY SUNDAY

SUBJECT'S NAME PADILLA JASON GAVIN RACE W SEX M
LAST FIRST MID

HGT 5'10 WGT 195 DOB 04/15/1979

LOCATION ALT A1A/S ENTRADA WAY, PBG, FL

ARRESTING OFFICER'S NAME & ID Ofc. ANDREW FLINK 514 AGENCY PBGPD

DIVISION: TRAFFIC UNIT

NOTIFIED BY COMMO YES

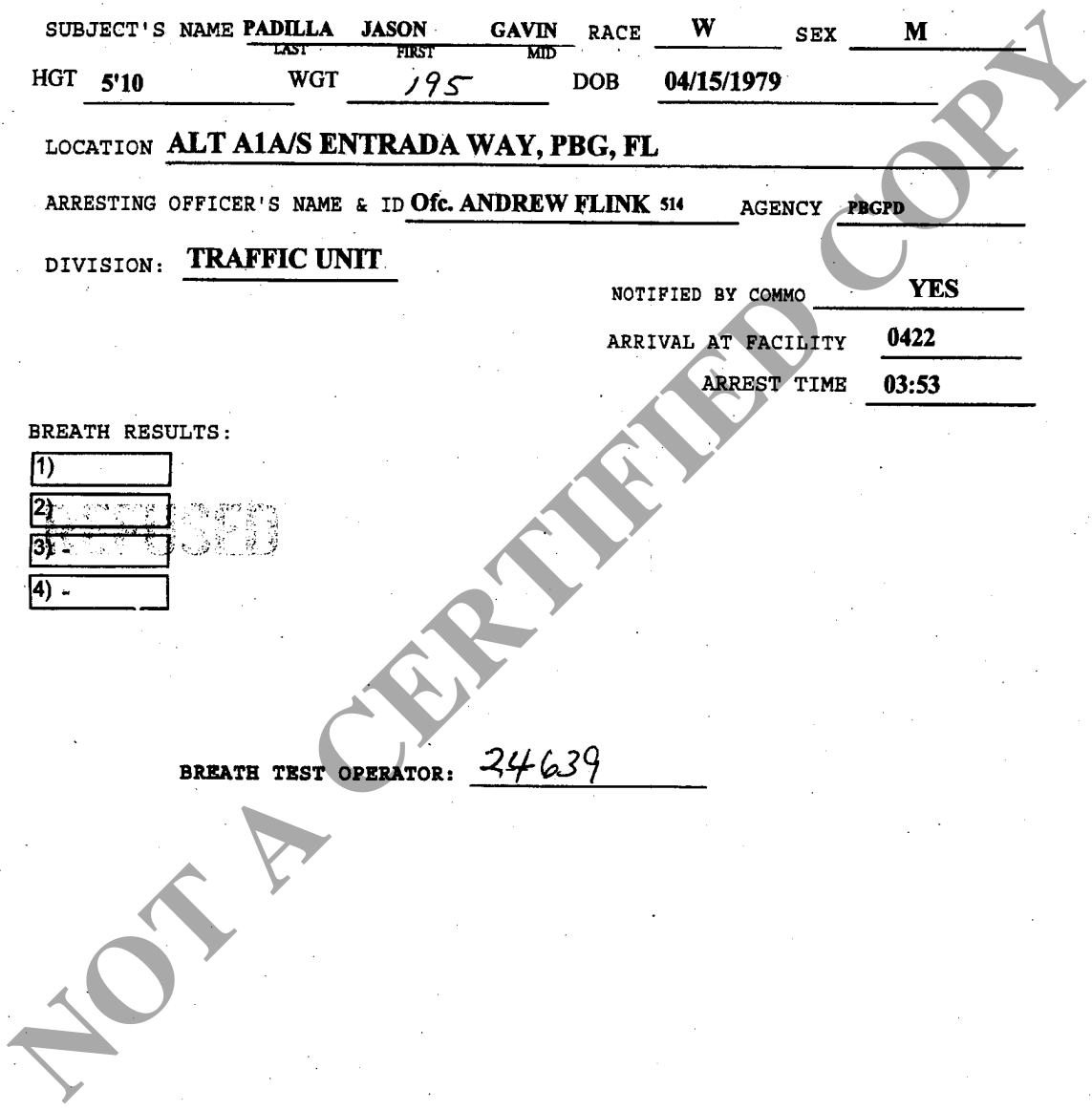
ARRIVAL AT FACILITY 0422

ARREST TIME 03:53

BREATH RESULTS:

- 1)
- 2)
- 3)
- 4)

BREATH TEST OPERATOR: 24639



STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY & MOTOR VEHICLES
AFFIDAVIT OF REFUSAL TO SUBMIT TO
BREATH AND/OR URINE TEST

I, Ofc. ANDREW FLINK, a duly certified Law Enforcement Officer or Correctional Officer,
(Name of Officer reading Implied Consent Warning)

am a member of Palm Beach Gardens Police Department, and I do swear
(Name of law enforcement agency)

or affirm that on or about the 28th day of June, 20 20, at 03:53 P.M. A.M.

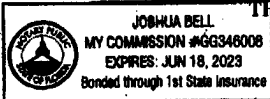
DRIVER JASON GAVIN PADILLA
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# P340427791350, state of FL, was placed under lawful arrest for
the offense of DRIVING UNDER THE INFLUENCE by Ofc. ANDREW FLINK and
issued Citation # A56HAFE (Name of Arresting Officer)

That on or about the 28th day of June, 20 20, at 0446 P.M. A.M.
in PALM BEACH County,

I requested that the driver submit to a breath and/or urine test to determine his or her blood alcohol level and/or the presence of chemical or controlled substances. I informed the driver that the refusal to submit to such test(s) would result in the suspension of his or her driving privilege for a period of one (1) year for a first refusal, or for a period of eighteen (18) months if his or her driving privilege had been previously suspended for refusing to submit to a breath, urine or blood test. I also informed the driver that he or she commits a misdemeanor by refusing to submit to a lawful test as requested above if his or her driving privilege has been previously suspended for refusal to submit to a lawful test of his or her breath, urine, or blood. Additionally, I informed the driver that if he or she holds a CDL, or was operating a CMV, refusal will result in the disqualification of the Commercial Driver's License/driving privilege for a period of one (1) year in the case of a first refusal or permanently if he or she has previously been disqualified as a result of a refusal to submit to any such lawful test. Nonetheless, the driver refused to submit to the test(s) requested.

[Signature]
Signature of Law Enforcement Officer or
Correctional Officer



THE AFFIDAVIT MUST BE NOTARIZED OR ATTESTED TO (F.S. 117.10)

The foregoing instrument was sworn and subscribed before me:

Signature of Attesting Officer

Title _____

Date 06/28/2020

(AFFIX SEAL)
The foregoing instrument was sworn and subscribed before
me this 28th day of June, 20 20,
by Ofc. ANDREW FLINK,
who is personally known to me or who has produced
Personally Known as identification.

Notary Public [Signature]

HSMV-BAR1001 (REV. 10/2016)

Note: Mail or hand deliver to the designated Bureau of Administrative Reviews office, Department of Highway Safety and Motor Vehicles, with the driver's license, the appropriate copy of the UTC, and the probable cause affidavit.

TESTING FACILITY TASK REPORT

AGENCY: PBGPD

SUBJECT: PADILLA, JASON G

CASE NUMBER: 20-082439

DATE: Jun 28, 2020

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 04:44

ENDING TIME: 04:47

BREATH TESTS RESULTS: 1) R TIME 04:46 A.M. P.M. 2) N/A TIME N/A A.M. P.M.
3) N/A TIME N/A A.M. P.M. 4) N/A TIME N/A A.M. P.M.

BREATH OPERATOR: P.POUND #24639

MAINTENANCE TECHNICAN: J. KARLECKE# 6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: LOW

ATTITUDE: CALM, QUIET

CLOTHING: BLACK JEANS, BLACK T-SHIRT, PINK SNEAKERS

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

EYES: GLASSY AND BLOODSHOT

COMMENTS:

ARRIVED AT CENTER A/O BEGAN THE 20 MINUTE OBSERVATION PERIOD AT 04:22 HRS.

SUBJECT: REFUSED TO TAKE TEST

A/O: READ I/C

SUBJECT: STATED HE UNDERSTOOD I/C AND WOULD REFUSE TEST AGAIN

A/O: READ RIGHTS

SUBJECT: STATED HE UNDERSTOOD RIGHTS

A/O: ATTEMPTED Q&A

SUBJECT: REFUSED QUESTIONS

2020 JUN 28 04:47

PAULIN, JASON G

CASE NUMBER

QUESTIONS AND ANSWERS

PLEASE FEEL FREE TO ASK YOU SOME QUESTIONS. WITH THESE RIGHTS IN MIND, YOU MAY ANSWER ANY OR NONE OF THE FOLLOWING QUESTIONS AS YOU LIKE.

WERE YOU OPERATING A MOTOR VEHICLE AT THE TIME OF THE STOP/ACCIDENT?

IF YES, WHAT TYPE OF VEHICLE WAS IT?

WHERE DID YOU START?

WHAT TIME IS IT NOW?

WHAT DAY OF THE WEEK IS IT?

WHAT DID YOU EAT?

HOW MANY HOURS?

HAVE YOU BEEN DRINKING?

WHAT TYPE?

AND YOUR LAST DRINK?

HOW DID YOU FEEL AFTER DRINKING?

ARE YOU UNDER THE INFLUENCE?

HOW MUCH?

WHAT?

WHEN DID YOU LAST TAKE A BREATHALYZER TEST?

WHAT'S YOUR RESULT?

WHAT'S YOUR BAC?

DO YOU HAVE ANY OTHER DRUGS OR MEDICATIONS?

WHAT?

DO YOU TAKE ANY MEDICATIONS TODAY?

WHAT?

WHAT?

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54

WHITE - STATE POLICE GREEN - COUNTY PINK - CITY



Palm Beach County Sheriff's Office – Arrests Only

	X	Florida State Statute	Description	Page Number(s)
L/E Exemptions	<input type="checkbox"/>	119.071(2)(d)	Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations.	
	<input type="checkbox"/>	943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	
	<input type="checkbox"/>	119.071(4)(c)	Undercover personnel.	
	<input type="checkbox"/>	119.071(2)(f)	Confidential informants (CIs).	
	<input type="checkbox"/>	119.071(2)(e)	Confession.	
Public Info. Exemptions	<input type="checkbox"/>	985.04(1)	Juvenile offender records.	
	<input type="checkbox"/>	119.071(h)(i)	Assets of a crime victim.	
	<input type="checkbox"/>	395.3025(7)(a), 456.057(7)(a)	Medical information.	
	<input type="checkbox"/>	394.4615(7)	Mental health information.	
	<input type="checkbox"/>	119.071(4)(d)(2)(a)	Home address, telephone, Social Security number, date of birth, or photos of active/former LE personnel, spouses, and children.	
Florida Rules of Judicial Administration 2.420 (Rule of 23)	<input checked="" type="checkbox"/>	(iii) 119.0714(1)(i)-(j), 2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers.	2
	<input type="checkbox"/>	(viii) 394.4615(7)	Clinical records under the Baker Act.	
	<input type="checkbox"/>	(xii) 741.30(3)(b)	The victim's address in a domestic violence action on petitioner's request.	
	<input type="checkbox"/>	(xiii) 119.071(2)(h), 119.0714(1)(h)	Protected information regarding victims of child abuse or sexual offenses.	
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
Other	<input type="checkbox"/>		Other:	
	<input type="checkbox"/>		Other:	

REVIEW COMPLETED BY

Booking Number: 2020015765	Date: 06/29/2020
	Specialist Name/ID: AM/31562

